

JOSE QUINONES,  
Plaintiff,  
vs.  
HUMANA and HUMANA PHARMACY  
OPERATIONS,  
Defendants.

ORDER

Pursuant to 28 U.S.C. § 636(b) and the standing Orders of Designation of this Court, the Honorable Dennis L. Howell, United States Magistrate Judge, was designated to consider the motion to dismiss and to submit a recommendation for its disposition.

On October 15, 2013, the Magistrate Judge filed a Memorandum and Recommendation in this case containing proposed conclusions of law in support of a recommendation regarding the Defendant's Motion. [Doc. 10]. The parties were advised that any objections to the Magistrate Judge's Memorandum and Recommendation were to be filed in writing within fourteen (14) days of service. The period within which to file objections has expired, and no written objections to the Memorandum and Recommendation have been filed.

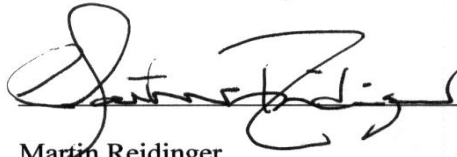
After a careful review of the Magistrate Judge's Recommendation, the Court finds that the proposed conclusions of law are consistent with current case law. Accordingly, the Court hereby accepts the Magistrate Judge's Recommendation that the Defendant's Motion to Dismiss should be granted.

### **ORDER**

**IT IS, THEREFORE, ORDERED** that the Memorandum and Recommendation [Doc. 10] is **ACCEPTED**; the Defendant's Motion to Dismiss [Doc. 5] is **GRANTED**; and this action is hereby **DISMISSED WITHOUT PREJUDICE**.

**IT IS SO ORDERED.**

Signed: November 6, 2013

  
Martin Reidinger  
United States District Judge

